

(PCT Article 36 and Rule 70)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012206

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-6 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-5 _____ received by this Authority on 12.05.2005 with letter of 28.04.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1/1 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-5</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-5</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-5</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
1	<p>This report makes reference to the following document:</p> <p>D1: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 05, 14 September 2000 (2000-09-14) & JP 2000 045884 A (HINO MOTORS LTD; SANKYO RADIATOR KK), 15 February 2000 (2000-02-15)</p>		
2	<p>INDEPENDENT CLAIM 1</p> <p>D1 is considered to be the prior art closest to the subject matter of claim 1. D1 discloses the preamble of this claim.</p> <p>The subject matter of claim 1 differs from this known heat exchanger in that the passage holes form an expansion element.</p> <p>The subject matter of claim 5 is therefore novel (PCT Article 33(2)).</p> <p>The problem to be solved by the present invention can be regarded as that of reducing tension from expansion without impairing the good distribution of the</p>		

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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current.

The solution to this problem as proposed in claim 5 of the present application involves an inventive step for the following reasons (PCT Article 33(3)):

- nothing that would suggest such a solution can be found in the available documents.

3 Claims 2 to 5 are dependent on claim 1 and therefore also meet the PCT requirements for novelty and inventive step.